

Application No. 09/843,400
Reply to Office Action of October 5, 2005

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 2, 3, and 17. These sheets, which includes Figs. 2, 3, 16, and 17, replace the original sheets including Figs. 2, 3, 16, and 17.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4-10, 13-19, 22-28, and 31-38 are pending in the present Application, Claims 2, 3, 11, 12, 20, 21, 29, and 30 having been canceled without prejudice or disclaimer, and Claims 1, 4-10, 13-19, 22-28, and 31-38 having been amended. Support for the non-formal amendments to 1, 4-10, 13-19, 22-28, and 31-38 is found, for example, in original Claims 2 and 3. Thus, no new matter is added.

In the outstanding Office Action, the drawings were objected to; the specification was objected to; Claims 13-18, 22-27, and 31-36 were rejected under 35 U.S.C. §112, second paragraph; Claims 1, 2, 6, 10, 19, 28, 37, and 38 were rejected under 35 U.S.C. §102(e) as anticipated by Maeda (U.S. Patent No. 6,775,705); Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Maeda; Claims 4, 5, 7, 11-16, 20-25, and 29-34 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda in view of Kakimoto (U.S. Patent No. 6,775,688); Claims 8, 17, 26, and 35 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda, in view of Kakimoto, in view of IwaZaki (U.S. Patent No. 6,447,044), and further in view of Merritt et al. (U.S. Patent No. 6,421,429, hereinafter Merritt); Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Maeda in view of Bowker et al. (U.S. Patent Publication No. 2001/0039615, hereinafter Bowker); and Claims 18, 27, and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Maeda in view of Kakimoto, and further in view of Bowker.

With respect to the objection to the drawings, Figs. 2, 3, and 17 are amended to correct the informalities identified in the outstanding Office Action. Figs. 2 and 3 are amended to remove reference numeral 9, the specification is amended to remove reference

numeral 12, and Fig. 17 is amended to remove reference numeral 358. Thus, Applicants respectfully submit that the objection to drawings is overcome.

With respect to the objection to the specification as failing to provide proper antecedent basis for Claims 11, 20, and 29, Applicant respectfully submits that this ground of objection is moot in view of the cancellation of Claims 11, 20, and 29.

With respect to the objection to the specification based on the grammatical informality identified in Claim 19, Applicant respectfully submits that the amendment to Claim 19 overcomes this ground of objection.

With respect to the rejection of Claims 11, 20, and 29 under 35 U.S.C. §112, second paragraph, as inconsistent with dependent Claims 3-18, 22-27, and 31-36, Applicant respectfully submits that this ground of rejection is moot in view of the cancellation of Claims 11, 20, and 29.

With respect to the rejection of Claims 16, 25, and 34 under 35 U.S.C. §112, second paragraph, Applicant respectfully submits that the amendments to Claims 16, 25, and 34 correct the antecedent basis informality identified in the outstanding Office Action.

With respect to the rejection of Claim 1 under 35 U.S.C. §102(e) as anticipated by Maeda, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*, “an accommodating capability verifying unit configured to verify the information accommodating capability in said reception terminal...based on an E-mail address used in sending the E-mail information to said reception terminal.” Maeda does not describe or suggest at least this element of amended Claim 1.

Maeda discloses determining the image processing capability of each receiving apparatus in advance, and not based on the E-mail address used.¹ In the system disclosed by

¹ Maeda, Abstract.

Maeda, the receiving apparatus sends its image processing capabilities to the transmitting apparatus in advance of the transmitting apparatus emailing an attached image to the receiving apparatus.²

Maeda further describes that the transmitting apparatus transmits a capability request by E-mail to examine the reception capability of the receiving apparatus.³ The receiving apparatus receives the capability request by E-mail, and transmits a capability response including the reception capability of the receiving apparatus.⁴

Maeda does not disclose or suggest the claimed “an accommodating capability verifying unit configured to verify the information accommodating capability in said reception terminal...based on an E-mail address used in sending the E-mail information to said reception terminal.”

By using the E-mail address to verify the information accommodating capability of a reception terminal, there is only one transmission between the transmission terminal and the receiving terminal. The one transmission being the E-mail with attached E-mail information that a user wants to transmit to a reception terminal. However, Maeda requires three transmissions between the receiving terminal and the transmitting terminal; a transmission from the transmitting terminal to the receiving terminal requesting capability information, a transmission from the receiving terminal to the transmitting terminal providing the capability information, and a third transmission to supply the receiving apparatus with the desired information.

Furthermore, Bowker, IwaZaki, Kakimoto, and Merritt do not cure the above-noted deficiency in Maeda.

² Maeda, col. 3, lines 15-18.

³ Maeda, col. 5, lines 49-56.

⁴ Maeda, col. 5, lines 58-61.

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Thus, Applicant respectfully submits that Claim 1 (and dependent Claims 4-9) patentably distinguish over Maeda, Bowker, IwaZaki, Kakimoto, and Merritt, taken alone or in proper combination. Applicants respectfully submit that Claims 10, 19, 28, 37, and 38 are similar to Claim 1. Thus, Applicant respectfully submits that Claims 10, 19, 28, 37, and 38 (and Claims 13-18, 21-27, and 31-36) patentably distinguish over Maeda, Bowker, IwaZaki, Kakimoto, and Merritt, taken alone or in proper combination for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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